



UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 22 2004

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SIM & MCBURNEY
330 UNIVERSITY AVENUE
6TH FLOOR
TORONTO ON M5G 1R7 CA CANADA

In re Application of:
John Dupre
Serial No.: 09/280,020
Filed: March 29, 1999
Attorney Docket No.: 241/145

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicant's petition under 37 CFR § 1.181 filed on December 3, 2004, requesting withdrawal of the holding of abandonment based on the timely payment of the Issue Fee.

A review of the file history shows that the examiner mailed a Notice of Allowance to applicants on May 28, 2004. On October 21, 2004 a notice of abandonment was mailed for failure to pay the issue fee.

Applicant states that authorization to timely pay the issue fee was provided on August 16, 2004. Applicant has submitted the fax cover page, the fee transmittal page and the confirmation auto-reply facsimile transmission page as evidence of such authorization. In view of this evidence, applicants are considered to have paid the Issue Fee in a timely manner.

Applicant's petition is **GRANTED**. The application is restored to pending status with the mailing date of this decision and is being forward to the Office of Publications for allowance.

The appropriate fees will be charged to deposit account 19-2253.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600